GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services –Labour Factories Boilers & Insurance Medical Services Department – Sri P. Srinivas, Deputy Commissioner of Labour(FAC), Kakinada – Certain Omissions leads to failure to display in devotion to duty and integrity– Disciplinary proceedings initiated under Sub Rule (1) of Rule 3 of A.P. Civil Services (Conducts) Rules, 1964 - Articles of Charges –Issued.

LABOUR FACTORIES BOILERS AND INSURANCE MEDICAL SERVICES (Lab.I) DEPARTMENT

G.O.RT.No. 454 **Dated: 21-11-2024**

From the Commissioner of Labour, AP, Vijayawada, Lr.No.A1/8264278/ 2023-2, Dt:24.03.2024.

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ORDER:

It is proposed to hold an inquiry against Sri P.Srinivas, Deputy Commissioner of Labour(FAC), Kakinada in accordance with the procedure laid down in Sub Rule (1) of Rule 3 of A.P. Civil Services (Conducts) Rules, 1964.

2. The substance of the imputations of the misconduct or misbehavior in respect of which the inquiry is proposed to be held is set out in the enclosed statement of articles of charges (Annexure-I).A statement of imputations of misconduct or misbehavior in support of each article of charge is enclosed (Annexure-II). A list of documents by which, and a list of witnesses by whom, the articles of charges are proposed to be sustained are enclosed (Annexure III).

3. Sri P. Srinivas, Deputy Commissioner of Labour (FAC), is directed to submit his written statement of defence within 15 days of the receipt of this order.

4. Sri P. Srinivas, Deputy Commissioner of Labour (FAC), Kakinada is informed that an inquiry will be held only in respect of those articles of charges as are not admitted. He should therefore, specifically admit or deny each articles of charge.

5. Sri P. Srinivas, Deputy Commissioner of Labour (FAC), Kakinada is further informed that, if she does not submit her written statement of defense on or before the date specified in para 3 above or otherwise fails or refuses to comply with the provisions of Sub Rule (1) of Rule 3 of A.P. Civil Services (Conducts) Rules, 1964 or the orders / directions issued in pursuance of the said rules, the Inquiring Authority will hold the Inquiry against him exparte.

6. Attention of Sri P. Srinivas, Deputy Commissioner of Labour (FAC), Kakinada is invited to Rule 24 of the AP Civil Services (Conduct) Rules, 1964, under which no Government servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further her interest in respect of matters pertaining to her service under the Government. If any representation is received on

(P.T.O)

his behalf from another person in respect of any matter dealt with these proceedings, it will be presumed that Sri P. Srinivas Deputy Commissioner of Labour (FAC) Kakinada is aware of such a representation and that it has been made at her instance and action will be taken against her for violation of rule 24 of the AP Civil Service (Conduct) Rules, 1964.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

M.M. NAYAK
SECRETARY TO GOVERNMENT (FAC)

To
Sri P. Srinivas, Deputy Commissioner of Labour(FAC), Kakinada through Commissioner of Labour, AP, Vijayawada.
The Commissioner of Labour, Andhra Pradesh, Vijayawada.
SF/SC

//FORWARDED::BY ORDER//

SECTION OFFICER

ANNEXURE – **I**

Draft statement of Article of Charges framed against Sri P. Srinivas, Deputy Commissioner of Labour (FAC), Kakinada

Article –I :

That the said Sri P. Srinivas, Deputy Commissioner of Labour(FAC), Kakinada, worked as Deputy Commissioner of Labour(FAC), Kakinada up to 06.05.2021. (2) Vigilance Alert notes containing (11) establishments were communicated on 20.03.2021 and he has issued notices to the said establishments in the March 2021 itself. The succeeding officer have not taken any further follow up action towards collection of the cess on these establishments. Again, Sri P. Srinivas, Deputy Commissioner of Labour, Eluru, has taken over the charge of Deputy Commissioner of Labour(FAC), Kakinada on 13.09.2023 AN. After taking charge as DCL(FAC), Kakinada second time and till 05.01.2024 he has not initiated further course of action on the vigilance alert notes for collection of cess and thereby, failed to display devotion to duty, integrity in discharging his official duties and therefore committed misconduct. Hence this charge.

Grounds:

As per the instructions of the undersigned an inspection team headed by the Jt. Commissioner of Labour, 0/o the Commissioner of Labour has inspected the Offices of the Dy. Commissioner of Labour and Assistant Commissioner of Labour, Kakinada along with supporting staff on 04-01-2024 and 05-01-2024 and submitted a report to the undersigned. Upon examination of the reports, it is established that Sri P. Srinivas, Deputy Commissioner of Labour (FAC), Kakinada has failed to take necessary action for collection of cess from the establishments and inaction on his part on vigilance alert notes under the BOCW Cess Act which resulted in poor collection of Cess and loss of revenue to the government exchequer.

That Sri P. Srinivas, Deputy Commissioner of Labour, Eluru while he was working as Deputy Commissioner of Labour(FAC), Kakinada issued notices to (8) establishments i.e, various Gram Panchayats, Municipalities, Panchayat Raj Division between the period from 20.03.2021 to 06.05.2021 before Sri G. Laxminarasaiah has taken the charge as DCL(FAC), Kakinada. Sri G. Laxminarasaiah, ACL(SSPO), Tirupathi has worked as DCL(FAC) Kakinada from 06.05.2021 FN to 13.09.2023. Again Sri P. Srinivas, after taking charge as Deputy Commissioner of Labout (FAC), Kakinada on 13.09.2023 AN has not taken any concrete steps for collection of the Cess amounts from those (8) eight defaulting establishments for nearly 5 1/2 months from his taking over the charge and failed to issue assessment orders to the defaulting

establishments of the vigilance alert notes and caused considerable financial loss to the exchequer. Hence the said officer failed to show due diligence and integrity in discharging his official duties.

Therefore it is contemplated that necessary disciplinary action should be initiated against Sri P. Srinivas, Deputy Commissioner of Labour, Eluru who is holding Full Additional Charge to the post of the Dy. Commissioner of Labour, Kakinada, for his failure to display devotion to duty, integrity in discharging his duties as Deputy Commissioner of Labour(FAC), Kakinada and hence he is liable for disciplinary action under Sub Rule (1) of Rule 3 of A.P. Civil Services (Conduct) Rules, 1964.

Article -2

Sri P. Srinivas, Deputy Commissioner of Labour, Eluru who is holding Full Additional Charge to the post of the Dy. Commissioner of Labour, Kakinada, has issued notice to M/s Alluri Subbaraju & Co, Kakinada Sea ports, Kakinada in vigilance alert note no 94 communicated on 16.02.2023 has issued notice again on 30.11.2023 by knowingly about the previous notice issued on 25.02.2023 by his predecessor without taking further course action i.e. issuance of assessment order in this matter as per the BOCWW Cess Act and Cess Rules and thereby failed to display devotion to duty, integrity and therefore committed misconduct and hence this charge.

Grounds:

As per the instructions of the undersigned an inspection team headed by the Jt. Commissioner of Labour, 0/o the Commissioner of Labour has inspected the Offices of the Dy. Commissioner of Labour and Assistant Commissioner of Labour, Kakinada along with supporting staff on 04-01-2024 and 05-01-2024 and submitted a report to the undersigned. Upon examination of the reports, it is established that Sri P. Srinivas, Deputy Commissioner of Labour (FAC), Kakinada has failed to take necessary action for collection of cess from the establishment and inaction on his part on vigilance alert notes under the BOCW Cess Act resulted in poor collection of Cess and loss of revenue to the exchequer.

That Sri P. Srinivas, Deputy Commissioner of Labour, Eluru after taking charge as Dy. Commissioner of Labour (FAC), Kakinada on 13.09.2023 AN has not taken any concrete steps for collection of the Cess amounts from defaulting establishment namely M/s Alluri Subbaraju & Co, Kakinada Sea ports, Kakinada in vigilance alert note no 94 communicated on 16.02.2023 has issued notice again on 30.11.2023 by knowingly about the previous notice issued on 25.02.2023 by his predecessor without taking further course action i.e. issuance of assessment order in this matter as per the

BOCWW Cess Act and Cess Rules till 05.01.2024 and caused considerable financial loss to the exchequer. Hence the said officer failed to show due diligence and integrity in discharging his official duties.

Therefore it is contemplated that necessary disciplinary action should be initiated against Sri P. Srinivas, Deputy Commissioner of Labour, Eluru who is holding Full Additional Charge to the post of the Dy. Commissioner of Labour, Kakinada, for his failure to display devotion to duty, integrity in discharging his duties as Deputy Commissioner of Labour(FAC), Kakinada and hence he is liable for disciplinary action under Sub Rule (1) of Rule 3 of A.P. Civil Services (Conduct) Rules, 1964.

M.M. NAYAK
SECRETARY TO GOVERNMENT (FAC)

//FORWARDED::BY ORDER//

SECTION OFFICER

ANNEXURE-II

List of documents in support of article of charges framed against Sri P. Srinivas, Deputy Commissioner of Labour, Eluru who is holding Full Additional Charge to the post of the Dy. Commissioner of Labour, Kakinada are proposed to be sustained.

1. Report submitted by the Inspection Team 0/o the Commissioner of Labour, A.P., Vijayawada.
2. M/s Alluri Subbaraju & Co, Kakinada Sea ports, Kakinada in vigilance alert note no 94 communicated on 16.02.2023 by the Vigilance & Enforcement Department.

M.M. NAYAK
SECRETARY TO GOVERNMENT (FAC)

//FORWARDED::BY ORDER//

SECTION OFFICER

ANNEXURE-III

List of witnesses by whom the article of charges framed against Sri P. Srinivas, Deputy Commissioner of Labour, Eluru who is holding Full Additional Charge to the post of the Dy. Commissioner of Labour, Kakinada.

-NIL-

M.M. NAYAK
SECRETARY TO GOVERNMENT (FAC)

//FORWARDED::BY ORDER//

SECTION OFFICER